

ADVISORY OPINION 1998-012

Any advisory opinion rendered by the Registry under subsections (1) or (2) of this section may be relied upon only by the person or committee involved in the specific transaction or activity with respect to which the advisory opinion is rendered. KRS 121.135(4).

September 11, 1998

Frank P. Doheny, Jr., Esq.
Dinsmore & Shohl LLP
2000 Meidinger Tower
Louisville, Kentucky 40202

Dear Mr. Doheny:

This is in response to your letter dated August 14, 1998, requesting an advisory opinion regarding contributions from law firm partnerships. Your letter indicates that you are the treasurer for Citizens for Better Judges, a Kentucky political action committee ("PAC"). Your PAC regularly accepts contributions from law firms under the name of the partnership. Your question relates to the proper reporting of these contributions.

Citizens for Better Judges is a permanent committee as defined under KRS 121.015(3)(c). Under KRS 121.180(6)(b), permanent committees are required to report all contributions in excess of one hundred dollars (\$100). Contribution limits are established under KRS 121.150(6), which states: "No **person**, permanent committee, or contributing organization shall contribute more than one thousand dollars (\$1,000) . . . (emphasis added).

In a prior advisory opinion, Advisory Opinion 94-007, the Registry opined that a partnership may not make a contribution to a political campaign in Kentucky. Rather, an individual, who is a partner in an unincorporated partnership, may contribute to a political candidate or campaign committee from personal funds or from partnership funds that are credited to the individual partner. A permanent committee that accepts

contributions from individual partners in this fashion must provide an itemized report of each

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individual contribution exceeding \$100.00 pursuant to the requirements of KRS 121.180(6)(b).

In the alternative, a partnership of two (2) or more individuals that contributes collectively to candidates or committees from time to time from funds derived solely from the partners may qualify as a contributing organization under KRS 121.015(4). A contributing organization may contribute a maximum of \$1,000 to a candidate per election or \$1,500 to all permanent committees or contributing organizations per year. A contributing organization is required to report all expenditures, including contributions in excess of \$100 made by it, to the Registry. A permanent committee that accepts a contribution from a partnership qualifying as a contributing organization must provide an itemized report of the contribution with information regarding the donor organization but is not required to provide information regarding the individual members of the contributing organization.

Based on the foregoing, you are advised to amend your prior reports to conform to the reporting requirements as described by this opinion. If you have any further questions, please do not hesitate to contact the Registry staff.

Sincerely,

Rosemary F. Center
General Counsel

RFC/jh